

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
LVIP:113US

In Re Application Of: Michael Zimmermann et al.

NOV 01 2004

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|----------|--------------|----------------|------------------|
| 10/709,874 | 06/02/2004 | N/A | 24041 | 3724 | 3873 |

Title: ERGONOMIC APPARATUS FOR CUTTING SPECIMENS

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

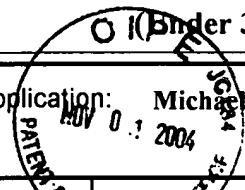
the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(O) (b) (5) (Binder 37 CFR 1.97(b) or 1.97(c))

Docket No.
LVIP:113US

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 50-0822 as described below.

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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Certificate of Mailing by First Class Mail

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October 29, 2004

(Date)

Signature of Person Mailing Correspondence

S. Peter Konzel, Esq.

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

S. Peter Konzel, Esq.

Attorney for Applicants

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CC:

Dated: October 29, 2004



**U.S. UTILITY PATENT APPLICATION
ATTORNEY DOCKET NO. 10/709,874**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Matter of United States Patent Application:

Applicant(s): Michael Zimmermann, et al. Examiner: N/A

Application No.: 10/709,874 Art Unit: 3724

Filed: June 2, 2004

Customer No.: 24041

Confirmation No.: 3873

For: ERGONOMIC APPARATUS FOR
CUTTING SPECIMENS

Certificate of Mailing by First Class Mail
I certify that this Information Disclosure Statement is being deposited on October 29, 2004 with sufficient postage with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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Registration 53,152

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Honorable Sir:

This Information Disclosure Statement is submitted in compliance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98.

Record is attached of published art for consideration during prosecution of the above-identified patent application. No representation is made or intended that a search has been made or, if made, was complete, or that no more pertinent art than that listed is available. It is expected that the Patent and Trademark Office will conduct an independent search for relevant prior art.

Unless otherwise indicated, or unless references cited are U.S. patents or patent

application publications, a full text copy of the entire reference of published art is attached. Where specifically indicated, an equivalent English language patent or publication is attached in lieu of the translation.

An English language abstract is attached to DE 40 12 600 C2, DE 35 09 395 C1, and DE 41 11 689 A1 to provide a concise explanation as to the relevancy of each reference.

Also, according to 1.98(a)(3)(i), a concise explanation is listed below, as it is presently understood, of each foreign patent document not in the English language.

German Patent 21 40 796 B2, mentioned in the German Examination Report, discloses a cutting device for a microtome which has a receptacle for a microtome knife which can be mounted in a knife holder. The knife is configured as a disposable knife.

German Patent 1 739 235, mentioned in the German Examination Report, discloses an ultramicrotome which comprises a viewing device which is a stereromicroscope and an illumination device for illuminating a sample to be cut. The illumination device is arranged such that the light reflected from the surface of the collecting device is reflected to the viewing device.

In accordance with the Patent and Trademark Office Notice of August 15, 1980, also enclosed is a completed Form PTO-A820 (Form PTO-1449).

Respectfully submitted,



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Dated: October 29, 2004
SPK/LAC
Enclosures (10)

| INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small> | | | | Docket Number (Optional) LVIP:113US | | Application Number 10/709,874 | |
|--|-----------------|--|---------|---|----------|---|----------------------------|
| | | | | Applicant(s) Michael Zimmermann, et al. | | Filing Date 06/02/2004 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | | | | | YES | NO |
| | 1 739 235 | 02/07/1957 | DE | | | | |
| | 21 40 796 | 02/22/1973 | DE | | | | |
| | 2 042 704 | 09/24/1980 | GB | | | | |
| | 35 09 395 | 10/02/1986 | DE | | | | |
| | 40 12 600 | 11/29/1990 | DE | | | | |
| OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> | | | | | | | |
| | | <ul style="list-style-type: none"> - RMC Products Boeckeler Instruments, Ultramicrotomes RMC, August, 1997, Tucson, Arizona, US - Leica Mikrosysteme GmbH, Reichert Ultracut S / FC S, Ultramikrotom und Tieftemperatur-Schneidesystem, Ultramicrotome and Deep Temperature Cutting, System, pp 4-5, June, 1991, Vienna, Austria | | | | | |
| | | <ul style="list-style-type: none"> - Leica Mikrosysteme GmbH, Reichert Supernova (Ultramicrotome), November 1990, Vienna, Austria - Leica Mikrosysteme GmbH, Leica UCT, The Flagship of Ultramicrotomy, October, 2001, Vienna, Austria | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

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